"22. (1) In addition to public holidays authorised by the State Government, the civil courts subordinate to the High Court shall have three vacations in each year, namely, Summer, Dasara and Winter.

(2) The total number of days in all the said three vacations shall not exceed sixty days and the period of each vacation in each year shall be fixed by the Chief Justice."

These Judges have no other vacation just as other institutions have and therefore it is felt that in common with the rest of the other High Courts the same powers should be vested in the High Court of Mysore also, namely that they can give sixty days' holidays to the Subordinate Courts.

Now clause 4 of the amended Bill is consequential. It simply says :

"The provisions of section 13 as amended by section 2 shall apply to all suits and appeals and appeals pending in any civil court subordinate to the High Court on the date of commencement of this Act."

The question would arise, what about the suits now pending. We say that this Act will apply to suits now pending.

The Report of the Select Committee is in my opinion non-controversial and I commend the same for the acceptance of the House.

Mr. SPEAKER.—The question is :

"That the Mysore Civil Courts (Amendment) Bill, 1951, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Mr. SPEAKER.—Clauses 2 to 4, both inclusive. The question is :

"That Clauses 2 to 4, both inclusive, stand part of the Bill."

The motion was adopted.

Clauses 2 to 4, both inclusive, were added to the Bill.

Mr. SPEAKER.—Clause 1. The question is :

"That Clause 1 stand part of the Bill."

The motion was adopted.

Clause 1 was added to the Bill.

Mr. SPEAKER.—Title and Preamble. The question is :

"That the Title and the Preamble stand part of the Bill."

The motion was adopted.

The Title and the Preamble were added to the Bill.

The motion was adopted.

Motion to pass.

The Hon'ble Sri K. T. BHASHYAM.—Sir, I move :

"That the Mysore Civil Courts (Amendment) Bill, 1951, as reported by the Select Committee, be passed."

Mr. SPEAKER.—The question is :

"That the Mysore Civil Courts (Amendment) Bill, 1951, as reported by the Select Committee, be passed."

The motion was adopted.

The Mysore Suits Valuation Bill, 1951.

Motion to consider.

The Hon'ble Sri K. T. BHASHYAM (Minister for Law and Labour).—Sir, I move :

"That the Mysore Suits Valuation Bill, 1951, as reported by the Select Committee, be taken into consideration.

In making this motion, I wish to bring to the notice of the Hon'ble Members that practically no change has been made in respect of the Bill by the Select Committee except the dates. Hon'ble Members will remember that when we introduced the Bill we thought we could make it into an Act from July 1951. Now that we are past that stage, the Select Committee has stated that this Act shall come into force from the first of January 1952 since we are already in October 1951. And a very slight amendment, purely verbal, has been made in clause 10, where we stated that they may apply to a court exercising revisional jurisdiction under Section 115 of the Code of Civil Procedure. "or other enactment" are the words in the original Bill. Instead of it, the words "or any other enactment" are put in. Practically no amendment has been made by the Select Committee and I commend the Report of the Select Committee for the acceptance of the House.

Mr. SPEAKER.—The question is :

"That the Mysore Suits Valuation Bill, 1951, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Mr. SPEAKER.—Clauses 2 to 11, both inclusive. The question is:

"That Clauses 2 to 11, both inclusive, stand part of the Bill."

The motion was adopted.

Clauses 2 to 11, both inclusive, were added to the Bill.

Mr. SPEAKER.—Clause 1. The question is:

"That Clause 1 stand part of the Bill."

The motion was adopted.

Clause 1 was added to the Bill.

Mr. SPEAKER.—Title and Preamble. The question is:

"That the Title and the Preamble stand part of the Bill."

The motion was adopted.

The Title and the Preamble were added to the Bill.

Motion to pass.

The Hon'ble Sri K. T. BHASHYAM.—Sir, I move:

"That the Mysore Suits Valuation Bill, 1951, as reported by the Select Committee, be passed."

Mr. SPEAKER.—The question is:

"That the Mysore Suits Valuation Bill, 1951, as reported by the Select Committee, be passed."

The motion was adopted.

The Cattle Trespass (Amendment) Bill 1951.

Motion to consider.

The Hon'ble Sri T. MARIAPPA (Home Minister).—Sir, I move:

"That the Cattle Trespass (Amendment) Bill, 1951, as reported by the Select Committee, be taken into consideration."

The Select Committee have gone into this Amendment Bill and are satisfied that it does not require any change because the notification prescribing the fees should be laid before the Assembly and if any member so chooses to move an amendment to amend the scale of fees, the amended scale of fees would come into force after the publication of the fresh notification in the Gazette. This is the only suggestion which the Select Committee has made and with this, I commend the report of the Select Committee for the acceptance of the House.

Mr. SPEAKER.—Motion moved:

"That the Cattle Trespass (Amendment) Bill, 1951, as reported by the Select Committee, be taken into consideration."

***Mushir-ul-Mulk J. MOHAMED IMAM** (Chitaldrug *cum* Tumkur—Muslim).—The recommendation of the Select Committee has not solved the doubt that arose and was expressed in this House when the Bill was taken up for consideration. When the Bill was taken up for consideration it was pointed out that this Bill aimed at depriving the local municipal councils and municipalities of their powers because till now.....

The Hon'ble Sri T. MARIAPPA.—May I interrupt for a minute? That was answered on the last occasion and I believed that the doubts had been dispelled.

Janab J. MOHAMED IMAM.—I am not sure if the doubts were dispelled. I myself expressed that doubt. Till now the cattle pounds were under the management of local bodies. The cattle pounds were situated in the municipal area. The management of the cattle pound was vested in the local municipal council. If it was located in a Panchayet area, I think the Panchayet was managing it. Whatever incomes were accruing from cattle pounds, I think, were credited to the funds of the respective local bodies. Now it is said that the Government have taken power to levy the fee on the cattle that will be impounded; so that discretion which was vested till now in the municipality has been taken away.

Mr. SPEAKER.—It is so even according to the existing law.

The Hon'ble Sri T. MARIAPPA.—Section 31 of the Act has made it very clear. It is as follows:

"The Government of Mysore may, from time to time, by notification in the official Gazette—

(*a*) transfer to any local authority, within any part of the territories under its administration in which this Act is in operation, all or any of the functions of the Government of Mysore or the Magistrate of the District under this Act, within the local area subject to the jurisdiction of the local authority,....."